

## **CHAPTER 391**

**S.P. 628 - L.D. 1811**

### **An Act to Permit the Salvage of Pulpwood**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, it is necessary that this legislation take effect before the 90-day period so that salvage activities may begin immediately; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 12 MRSA §1867, sub-§1, ¶A-1** is enacted to read:

A-1. "Pulpwood" means a portion of a tree intended for use in the paper-making process.

**Sec. 2. 12 MRSA §1867, sub-§1, ¶B**, as enacted by PL 1997, c. 678, §13, is amended to read:

B. "Salvage" means any activity involved in the retrieval of sunken logs or pulpwood from submerged land.

**Sec. 3. 12 MRSA §1867, sub-§6** is enacted to read:

**6. Pulpwood salvage exemption.** A person who has been granted a charter or other specific authorization by the Legislature prior to June 30, 1998 to erect and maintain piers and booms to collect and store pulpwood in waters over submerged lands may salvage the pulpwood stored in compliance with that charter and is exempt from subsections 3, 4 and 5 of this section, as long as, prior to conducting a pulpwood salvage operation, that person:

A. Provides documentation satisfactory to the bureau of the legislative charter or approval specifically authorizing pulpwood storage at the proposed salvage site;

B. Attests that the salvaged pulpwood is to be processed at a mill owned by that person;

C. Obtains all applicable permits required by local, state and federal agencies having jurisdiction over the salvage activity; and

D. Provides a plan acceptable to the bureau that results in substantial improvements or benefits to public trust rights or uses on that or a related body of water.

Pulpwood salvaged under a plan approved and implemented in accordance with the terms of this subsection is the property of the person authorized to collect and store pulpwood at the salvage site. A person who salvages pulpwood under this subsection shall comply with the provisions of the approved plan and with all applicable permitting requirements and other legal requirements pertaining to the salvage activity. Pulpwood salvaged under this section may be processed only at a mill owned by the person authorized to collect and store pulpwood at the salvage site.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 12, 2001.